



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EDWARD BANKS,

Plaintiff,

- against -

MCGLYNN, HAYS & CO., INC., et al.,

Defendants.
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19-CV-5727 (JPO) (RWL)
21-CV-0679 (JPO) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order resolves the discovery issues raised by the parties at Dkt. 50-51 in 21-CV-0679.

1. The conference currently scheduled to be in person on July 20, 2022 will be rescheduled to another date. The conference will be held via Microsoft Teams. My Deputy Clerk will issue a notice with the revised date, time, and other information. Mr. Cafaro need not appear for the conference, but Plaintiff's counsel should be prepared to address at the conference questions about the scope of Mr. Cafaro's services in these cases.

2. Plaintiff may take a 30(b)(6) deposition of the corporate defendant to answer questions about the records recently produced by Defendants. The Court will address the issue of whether any sanctions are appropriate at the Teams conference.

3. Defendants' remaining deposition of Plaintiff, and the deposition set forth above, shall be completed by August 15, 2022. No extensions.

4. As for the discovery responses due from Plaintiff by July 29, 2022, Plaintiff must either represent that Plaintiff's documents were produced as they were kept in the usual course of business or, if not, identify the documents responsive to each individual request. See Fed. R. Civ. P. 34(b)(2)(E)(i). In either event, Plaintiff must state for any objection whether any documents are being withheld on the basis of that objection. See Fed. R. Civ. P. 34(b)(2)(c).

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: July 13, 2022
New York, New York

Copies transmitted this date to all counsel of record.